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case cited in the notes. On the contrary, both the author's thought and his expression are clear and connected, and where he has to deal with conflicting cases or doctrines, he makes the conflict plain. It would be easy to point out sins of omission in the choice of topics and of citations, but this is an inevitable result of the plan of the work.

CYCLOPEDIA OF NEGLIGENCE CASES. T. F. Hamilton. New York: Baker, Voorhis & Company. 1904. pp. lxxxi, 1083.

The sub-title of this volume is, "A Century of Negligence Law, classified according to the facts," and the author confidently assures us that the book contains "all reported negligence cases decided in all the New York State Courts from the earliest period (1802) to Oct. 10th, 1903." These number 7,300, we are told, and the volume gives "10,300 citations to the various appeals of these cases, and the history of each case in the different courts." As a tool for the convenience of the practicing lawyer, it appears to be admirably designed and finished. The classification of topics does not follow any scientific theory, but seems to be what the author intended it should be, in accordance with "an ordinary, common-sense, usual system", one that will enable a brief-maker to run down easily all the cases on a particular topic. The Index, too, should prove very useful to anyone in search of New York decisions bearing upon a question in the law of negligence. It is fair to advise the reader, however, that the book is only a digest; that it is not a treatise. Neither the Table of Contents nor the Index indicates that a definition of negligence is to be found in this large volume. None of the principles of this branch of law are discussed, and rarely are the reasons for a decision set forth or even suggested. A lawyer cannot make up a brief from these pages. Oftentimes, he will be unable to tell whether a case, here digested and historically sketched, is for him or against him. He will be obliged to go to the reports. Still the book will probably prove a time-saver to the busy practitioner.

THE AMERICAN LAW OF LANDLORD AND TENANT. Two vols. John A. Taylor. Ninth edition, edited by Henry F. Buswell. Boston: Little, Brown & Co. 1904. pp. vol. I, cxv, 541; vol. II, xv, 592.

The latest edition of Taylor's well-known treatise on Landlord and Tenant shows no falling off from the high standard set by the original work and maintained by a long line of succeeding editions. The expansion of the book from the modest volume of the first edition into the two handsome volumes before us with their 1,263 pages and nearly 10,000 cited cases, has been attended with no deterioration in quality and with a growing increase in usefulness. It is, as it always has been, a practitioner's, not a student's, handbook, but it is one of the best of its kind, being equally distinguished for accuracy, clearness of statement and fulness. Less local and more comprehensive than McAdam's bulkier work, it easily holds its own as the leading American treatise on the law of Landlord and Tenant.

The defects of the book are the defects of its qualities. As a text-book digest of the law, rather than a treatise on the law, it has no place for critical discussion of doctrine or for independent comment on the decisions. This makes its treatment of difficult points

—like the effect of an impossible or illegal condition-precedent—and of hard cases—like Dumpor's case—highly satisfactory. Indeed, it is the vice of books of this class, from which few, if any of them, are wholly free, that they treat the whole realm of the common law as a single jurisdiction, running English, Massachusetts, New York and other American cases all together, making a complete and often symmetrical mosaic, which does not represent the law of any of the jurisdictions drawn upon. That there is in many cases a fundamental difference and antagonism in the law of sister commonwealths, that there is on most important subjects an "English rule," a "Massachusetts rule," a "New York doctrine," etc., which is at variance with the rule or doctrine elsewhere obtaining, is usually left for the reader to discover for himself. One might read such a work from cover to cover without seriously disturbing an impression that there was an harmonious American or Anglo-American common law, worked out in minutest detail by the conscious co-operation of the courts of fifty or sixty British and American communities. That this method of writing a text-book greatly detracts from its usefulness to the practitioner, who uses it only as a work of reference, as well as to the student, who goes to it for guidance in his arduous progress through the tangled wilderness of precedents, is too plain to require demonstration.

It is to be regretted that the weakness of the original treatise in the learning of the common law—so important in a work on the law of land—has not been remedied in the later editions. This weakness is most apparent in such topics as rents, waste and the like and imparts to their treatment an air of superficiality which detracts from the solid merits of the work as a whole. For an example of this fault, see the curiously inept description and treatment of rent service § 370.

It remains to be said that the work of the experienced editor to whom we owe the last two editions has in general been very well done, the present edition representing a good deal of well directed labor in the revision of the text as well as of the foot-notes. His English style, however, leaves something to be desired, the notes containing many infelicities of expression, in some cases amounting to obscurity. It may be that the expression "no tenure of privity existed" (vol. I, 327, n.) was intended to read "no privity of tenure," and that in the sentence "But the sounder view is otherwise both with regard to both classes of rents" (I, 328, n.) the first "both" is a copyist's or compositor's error, but the awkwardness of the statement that "in order to the burden of the covenant running with the land * * * there must have been a privity of estate," etc. (I, 326, n.) and of the declaration that "the reservation of a rent in fee * * * created an incorporeal hereditament, producing privity and a right and liability on the covenants annexed" (I, 328, n.) must, it is feared, be laid at the door of the learned editor himself. But these, though numerous enough, are, after all, only slight imperfections in what is, upon the whole, an excellent and useful book.

A TEXT BOOK OF LEGAL MEDICINE AND TOXICOLOGY. Vol. II. Edited by Frederick Peterson, M. D., and Walter S. Haines, M. D. Philadelphia: W. B. Saunders & Co. 1904.